

REMARKS/ARGUMENTS

Claims 2, 7 and 10 are canceled hereby. Claims 1, 3-6, 8, 9 and 11-20 remain pending herein. New claims 21-29 are added hereby. Thus, claims 1, 3-6, 8, 9 and 11-29 are pending herein.

The Applicants thank Examiner Fick for the courtesies extended during a telephone interview conducted on July 18, 2006. The substance of the discussion during that interview is incorporated in the following remarks.

In the April 19, 2006 Office Action, claims 1, 3-6, 8 and 9 were rejected under 35 U.S.C. §102(b) over WO 00/30184 (Rodriguez '184), and claims 2, 7 and 10 were rejected under 35 U.S.C. §103(a) over Rodriguez '184.

Claim 1 (from which claim 3 depends), claim 4 (from which claims 5 and 6 depend) and claim 8 (from which claim 9 depends) have been amended to incorporate the subject matter of claims 2, 7 and 10, respectively (i.e., that the front frame surface and the back frame surface each have a length which is a multiple of a length of a standard roofing tile), and have been further amended to recite that the multiple of a length of a standard roofing tile is an integer of at least two.

Rodriguez '184 does not disclose or suggest a frame having a front frame surface and a back frame surface each having a length which is a multiple of a length of a standard roofing tile, such multiple being an integer of at least two.

Accordingly, it is respectfully requested that the U.S. PTO reconsider and withdraw these rejections.

Claims 11, 12, 14 and 15 were rejected under 35 U.S.C. §103(a) over Rodriguez '184 in view of U.S. Patent No. 6,336,304 (Mimura '304). Claim 11 (from which claim 12 depends) depends from claim 6, which in turn depends from claim 4. Claim 14 (from which

claim 15 depends) depends from claim 9, which in turn depends from claim 8. As noted above, claims 4 and 8 have each been amended to recite that the front frame surface and the back frame surface each have a length which is a multiple of a length of a standard roofing tile, and that the multiple of a length of a standard roofing tile is an integer of at least two.

Mimura '304, like Rodriguez '184, does not disclose or suggest a frame having a front frame surface and a back frame surface each having a length which is a multiple of a length of a standard roofing tile, such multiple being an integer of at least two.

Accordingly, it is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

Claims 13, 16, 17 and 20 were rejected under 35 U.S.C. §103(a) over Rodriguez '184 in view of U.S. Patent No. 5,590,495 (Bressler '495). Claim 13 depends from claim 6, which in turn depends from claim 4. Claim 16 depends from claim 9, which in turn depends from claim 8. As noted above, claims 4 and 8 have each been amended to recite that the front frame surface and the back frame surface each have a length which is a multiple of a length of a standard roofing tile, and that the multiple of a length of a standard roofing tile is an integer of at least two.

Bressler '495, like Rodriguez '184, fails to disclose or suggest a frame having a front frame surface and a back frame surface each having a length which is a multiple of a length of a standard roofing tile, such multiple being an integer of at least two.

Claim 17 (from which claim 20 depends) recites positioning a first photovoltaic tile such that a first end portion of the frame of the first photovoltaic tile is engaged with a first side portion of at least one roofing tile.

It is respectfully submitted that neither Rodriguez '184 nor Bressler '495 discloses or suggest positioning a first photovoltaic tile such that a first end portion of the frame of the

first photovoltaic tile is engaged with a first side portion of at least one roofing tile.

Rodriguez '184 discloses a process of constructing a roof covering from a plurality of tiles 116, and describes the steps in doing so in the paragraph on page 9, lines 15-30. Bressler '495 discloses an arrangement of modules 10 which includes also non-photovoltaic shingles, depicted in Figs. 5(b) and 5(c) from column 7, line 64 – column 8, line 18.

Accordingly, it is respectfully submitted that no combination of Rodriguez '184 and Bressler '495 would satisfy all of the features recited in claim 17.

Accordingly, it is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

Claims 18 and 19 were rejected under 35 U.S.C. §103(a) over Rodriguez '184 in view of Bressler '495, further in view of Mimura '304.

The U.S. PTO relies on Mimura '304 for alleged disclosure of a retaining clip. Accordingly, any such disclosure in Mimura '304 would not overcome the shortcomings of Rodriguez '184 and Bressler '495 as applied against claim 17, from which claims 18 and 19 each ultimately depend.

In addition, claim 19 recites that an underhang engaging portion of the retaining clip overlaps only a portion of the underhang portion. It is respectfully submitted that in Mimura '304, the structure asserted by the U.S. PTO to be analogous to the underhang engaging portion overlaps the entirety of the structure asserted by the U.S. PTO to be analogous to the claimed underhang portion.

Accordingly, it is respectfully requested that the U.S. PTO reconsider and withdraw this rejection.

In addition, favorable consideration of new claims 21-29 is respectfully requested.

In view of the above, claims 1, 3-6, 8, 9 and 11-29 are believed to be in condition for allowance.

If the Examiner believes that contact with Applicant's attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicant's attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

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Date

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